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4 BILL NO. G-7A-⁵⁻⁰⁵~~08~~-15

5 GENERAL ORDINANCE NO. G- 15-75

6 AN ORDINANCE amending Section 3, Article II, and
7 section 13, Article IV of Chapter 36 of the Municipal
8 Code of the City of Fort Wayne, Indiana, providing
9 for Barber Shop, Beauty Parlor, Insurance and
10 similar office uses as Home Occupation Uses in
11 All Districts following Board of Zoning Appeals
12 Approval

13 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
14 FORT WAYNE, INDIANA:

15 SECTION 1. Section 3, (27) of Article II, of the
16 Fort Wayne Municipal Code, Chapter 36, is hereby repealed and
17 in lieu thereof a new Section 3, (27) of Article II of the
18 Fort Wayne Municipal Code, Chapter 36, is hereby enacted as
19 follows:

20 Section 3. Definitions.


21 (27) Home Occupation--Any use conducted entirely
22 within a dwelling and participated in solely by members
23 of the family, which use is clearly incidental and
24 secondary to the use of the dwelling for dwelling pur-
25 poses and does not change the character thereof and in
26 connection with which there is no commodity sold upon
27 the premises except that which is produced thereon, and
28 provided, however, in no event shall a tea room or animal
29 hospital be construed as a home occupation.

30 SECTION 2. Section 13 of Article IV, of the Fort
31 Wayne Municipal Code, Chapter 36, is hereby amended by adding
32 thereto a new subsection G. of Section 13 of Article IV of
33 the Fort Wayne Municipal Code, Chapter 36, which is hereby
34 enacted as follows:

35 Section 13. Special Uses--Specified Districts.

36 G. In R1, R2, R3, RA and RB districts the Board may
37 permit Beauty Parlors, Barber Shops, Insurance and
38 similar offices which satisfy all the requirements
39 for "Home Occupation", as such term is defined in
40 this Chapter, for a period not to exceed one year from
41 the date of the special use Improvement Location
42 Permit issued by authority of the Board. Upon sub-
43 mission of an application to the Board of Zoning Appeals
44 for a Barber Shop or Beauty Shop the applicant must
45 also submit a copy of his or her valid state operators
46 license. Prior to issuance of the Certificate of
47 Occupancy the applicant must present to the City Zoning
48 Enforcement Officer, evidence that the Barber Shop or
49 Beauty Shop meets the requirement of the State of Indiana
50 with respect to its operation. The Special Use Improve-
51 ment Location permit may be reissued on each subsequent

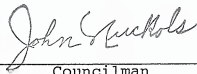
52
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54 APPROVED AS TO FORM
55 AND LEGALITY


CITY ATTORNEY

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4 annual expiration date for an additional year if the
5 Board finds that the public convenience and welfare
6 will be substantially served and that the proposed
7 renewal will not be unduly detrimental to the surrounding area. A public hearing will not be required for
8 renewal permits.

9 SECTION 3. If any part, parts, section or sections,
10 provision, clause or portion of this ordinance shall be adjudged
11 invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this
12 ordinance as a whole or any part, section, clause, provision,
13 or portion of this ordinance.

14 SECTION 4. This ordinance shall be in full force and
15 effect from and after its passage, approval by the Mayor and
16 legal publication thereof.
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Councilman

Read the first time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 5-13-75

Charles W. Tittemore
CITY CLERK

Read the third time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>5</u>	NAYS <u>3</u>	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	<u>X</u>	<u>X</u>	_____	_____
NUCKOLS	_____	_____	_____	<u>✓</u>
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	_____	<u>X</u>	_____	_____
TALARICO	_____	<u>X</u>	_____	_____

DATE: 6/10/75

Charles W. Tittemore
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 5-15-75 on the 10th day of June, 1975.

ATTEST: (SEAL)

Charles W. Tittemore
CITY CLERK

James S. Stine
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1975, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Tittemore
CITY CLERK

Approved and signed by me this 11th day of June, 1975, at the hour of 4:00 o'clock P. M., E.S.T.

James A. Troop
MAYOR

Bill No. G-75-05-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

amending Section 3, Article II and Section 13, Article IV of Chapter
36 of the Municipal Code of the City of Fort Wayne, Indiana, providing
for Barber Shop, Beauty Parlor, Insurance and similar office uses as
Home Occupation Uses in All Districts following Board of Zoning Appeals
Approval

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
Paul M. Burns
Donald J. Schmidt

DATE 6-10-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION FOR ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 13, 1975, referred a proposed Zoning Ordinance Amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-75-05-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 27, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be given a DO PASS for the reasons that a need has been shown for the Zoning Ordinance of the City of Fort Wayne to be amended, the amendment will be in the best interest of and benefit to the citizens involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary

DIGEST SHEET

Number assigned by Dave Keller's Office: # 3675

G-75-05-15

TITLE OF ORDINANCE Use Variance OrdinanceDEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNINGSYNOPSIS OF ORDINANCE An ordinance amending Section 13, Article IV ofChapter 36 of the Municipal Code of the City of Fort Wayne, Indiana.Section 13 (G) Special Uses- Specified DistrictsEFFECT OF PASSAGE See attached amendmentEFFECT OF NON-PASSAGE Zoning Ordinance Book would remain unaltered.MONEY INVOLVED (Direct Costs, Expenditures, Savings) NoneASSIGNED TO COMMITTEE (J.N.) Regulation JH.



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

June 12, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 16 and June 23, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-75-05-15
General Ordinance No. G-15-75

Bill No. Z-75-04-08
Zoning Map Ordinance No. Z-05-75

Bill No. G-75-05-47
General Ordinance No. G-14-75

Bill No. G-75-05-46
General Ordinance No. G-13-75

Bill No. G-75-05-45
General Ordinance No. G-12-75

Bill No. Z-75-04-09
Zoning Map Ordinance No. Z-06-75

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
Encl: 6

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Notice is hereby given that on the 10th day of June, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-15-75-15, G-15-75 General Ordinance, to-wit:

BILL NO. G-15-75-15
GENERAL ORDINANCE
NO. G-15-75

AN ORDINANCE amending Section 3, Article II, and section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shop, Beauty Parlor, Insurance and similar office uses as Home Occupation Uses in All Districts following Board of Zoning Appeals Approval.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 3, (27) of Article II, of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 3, (27) of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby enacted as follows:

Section 3. Definitions.

(27) Home Occupation — Any use conducted entirely within a dwelling and participated in solely by members of the family, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no commodity sold upon the premises except that which is produced thereon, and provided, however, in no event shall a spa room or animal hospital be construed as a home occupation.

SECTION 2. Section 13 of Article IV, of the Fort Wayne Municipal Code, Chapter 36, is hereby amended by adding thereto a new subsection 6, of Section 13 of Article IV of the Fort Wayne Municipal Code, Chapter 36, which is hereby enacted as follows:

Section 13. Special Uses — Specified Districts.

G. In R1, R2, R3, RA and RB districts the Board may permit Beauty Parlor, Barber Shops, Insurance and similar offices which satisfy all the requirements for "Home Occupation", as such term is defined in this Chapter, for a period not to exceed one year from this date of the special use Improvement Location Permit issued by authority of the Board. Upon submission of an application to the Board of Zoning Appeals for a Barber Shop or Beauty Shop the applicant must also submit a copy of his or her valid state operator license. Prior to issuance of the Certificate of Occupancy the applicant must present to the City Zoning Enforcement Officer, evidence that the Barber Shop or Beauty Shop meets the requirement of the State of Indiana with respect to its operation. The Special Use Improvement Location permit shall expire on each subsequent annual expiration date for an additional year if the Board finds that the public convenience and welfare will be substantially served and that the proposed renewal will not be unduly detrimental to the surrounding area. A public hearing will not be required for renewal permits.

SECTION 3. If any part, parts, section or sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any part, section, clause, provision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr., Councilman
Read the third time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Flyer, Burns, Hings, Kraus, D. Schmidt, V. Schmidt.

Nays: Moses, Stier, Talarico.

Abstain: One: Nusslock.

Date: 6-10-75.

Charles W. Westerman, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 11th day of June, 1975.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk
James S. Stier, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1975, at the hour of 11:00 o'clock A.M., E.S.T.

Charles Westerman, City Clerk

Approved and signed by me this 11th day of June, 1975, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor

I, Charles J. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-15-75 Passed by the Common Council on the 10th day of June, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 11th day of June, 1975, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of June, 1975.

CHARLES W. WESTERMAN,
City Clerk

er (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

ber of lines

ber of lines

ber of lines

al number of lines in notice

GES

es, 1 columns wide equals 138 equivalent lines at .288¢ per line

\$ 39.74

charge for notices containing rule or tabular work (50 per cent of above

extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 41.24

G COST

gle column 11 ems

Size of type 5½ point

insertions, 2

Size of quad upon which type is cast 5½

in and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

19 75

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

6/16-23/75

Subscribed and sworn to before me this 22nd day of June, 1975

Notary Public

My commission expires October 25, 1975

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	_____
Body number of lines	<u>136</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>138</u>

COMPUTATION OF CHARGES

138 lines, 1 columns wide equals 138 equivalent lines at .2884 cents per line	\$ 39.74
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	<u>1.50</u>
TOTAL AMOUNT OF CLAIM	<u>\$ 41.24</u>

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type <u>5 1/2</u> point
Number of insertions <u>2</u>	Size of quad upon which type is cast <u>5 1/2</u>

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 23, 1975

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows: 6/16-23/75

Subscribed and sworn to before me this 23 day of June 1975

Notary Public

My commission expires October 25, 1975

COPY OF
SENT HERE

river Rouge forces blocked the six months of the war the last for shipping. During the last Phnom Penh had been cleared the Tonle Sap river north of Phnom Penh had been cleared during the war, but the war was a shortage of spare parts and most electric plants in Phnom Penh were still limited.

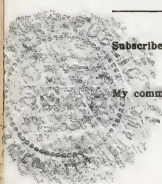
Notice is hereby given that on the 10th day of June, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 6-75-06-15, C-15-73 Bill No. C-75-06-15.

GENERAL ORDINANCE

AN ORDINANCE amending Section 3, Article II, and section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shops, Beauty Parlor, Insurance and similar office uses as following Board of Zoning Appeals Approval.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SECTION 1, Section 3, (27) of Article II, of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 3, (27) of Article II, of the Fort Wayne Municipal Code, Chapter 36, is hereby enacted as follows:

Section 3. Definitions.
(27) Home Occupation — Any use conducted entirely within a dwelling and participated in solely by members of the family, which use is clearly in-



Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

136

2

138

COMPUTATION OF CHARGES

138 lines, 1 column wide equals 138 equivalent lines at 288¢
cents per line

\$ 39.74

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 41.24

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 3½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date June 23, 1975

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says that he is Clerk

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for TWO

times, the dates of publication being as follows:

6/16-23/75

Subscribed and sworn to before me this 23rd day of June 1975

V. E. Gerken
Notary Public

My commission expires October 25, 1975

didn't have lead. They
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Notice is hereby given that on the 10th day of June, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-05-15, G-15-75 General Ordinance, to-wit:

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